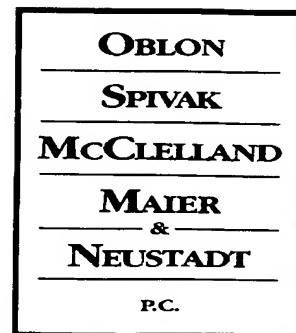




Docket No.: 219507US2S DIV

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/076,284  
Applicants: Hideo ANDO, et al.  
Filing Date: February 19, 2002  
For: INFORMATION STORAGE SYSTEM CAPABLE OF  
RECORDING AND PLAYING BACK A PLURALITY  
OF STILL PICTURES  
Group Art Unit: 2616  
Examiner: NGUYEN, HUY THANH

SIR:

Attached hereto for filing are the following papers:

**PETITION UNDER 37 C.F.R. §1.181**

**Copies of Information Disclosure Statement, Form PTO 1449, Cited Reference, English  
Translation of Japanese Office Action and Date Stamped Filing Receipt  
(as filed on December 15, 2004)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

James J. Kulbaski

Registration No. 34,648

Scott A. McKeown

Registration No. 42,866

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\ATTY\KDP\21\S\219507US\219507US SHORT PTO CVR 3.8.05.DOC

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.  
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM

**CCPY**



219507US2SDIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
Hideo ANDO, et al. : GROUP: 2616  
SERIAL NO: 10/076,284 : DATE ALLOWED: January 3, 2005  
FILED: February 19, 2002 : EXAMINER: NGUYEN, HUY THANH  
FOR: INFORMATION STORAGE :  
SYSTEM CAPABLE OF  
RECORDING AND PLAYING  
BACK A PLURALITY OF  
STILL PICTURES

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

SIR:

Applicants herein petition the Commissioner to invoke his supervisory authority to require the Examiner to consider the reference cited in the Information Disclosure Statement filed on December 15, 2004.

An Information Disclosure Statement in conformity with the requirements of 37 C.F.R. §1.97 was filed on December 15, 2004.<sup>1</sup> A copy of the Information Disclosure Statement and the date stamped filing receipt are attached. The above-referenced application has now been allowed. Due to a minor administrative oversight, the reference cited in the Information Disclosure Statement was never acknowledged or made of record by the Examiner.

COPY

<sup>1</sup> An English translation of a Japanese Office Action was concurrently filed with reference JP 2000-4421 of the IDS of December 15, 2004. This translation serves as a statement of relevancy for JP 2000-4421.

Although Applicants do not believe that any fee is required for the present petition, any required fee should be charged to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

James J. Kulbaski  
Registration No. 34,648  
Scott A. McKeown  
Registration No. 42,866  
Attorneys of Record

**22850**

Tel No. (703) 413-3000

Fax No. (703) 413-2220

JJK:SAM:KDP:pja

I:\ATTY\KDP\21'S\219507US\219507US PETITION 181.DOC

CCFY



OSMM&N File No. 219507US2S DIV

Dept.: E/M

By: JJK/SAM/scm

Serial No. 10/076,284

✓ In the matter of the Application of: Hideo ANDO, et al.

✓ For: INFORMATION STORAGE SYSTEM CAPABLE OF RECORDING AND  
PLAYING BACK A PLURALITY OF STILL PICTURES

Due Date: 12/15/04

The following has been received in the U.S. Patent Office on the date stamped her

■ Dep. Acct. Order Form

■ Information Disclosure Statement

■ PTO-1449

■ Cited References 1

■ Japanese Office Action with English Translation



COPY

Docket No. 219507US2S DIV



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Hideo ANDO, et al.

SERIAL NO: 10/076,284

GAU: 2615

FILED: February 19, 2002

EXAMINER: Nguyen, Huy Thanh

FOR: INFORMATION STORAGE SYSTEM CAPABLE OF RECORDING AND PLAYING BACK A PLURALITY OF STILL PICTURES

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the reference cited in the attached Japanese Office Action and listed on the attached form PTO-1449. A Copy of the listed reference is attached, where required, as is a translation of the Japanese Office Action which serves as a statement of relevancy for this non-English language reference.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☒ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

James J. Kulbaski

Registration No. 34,648

Scott A. McKeown

Registration No. 42,866

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

**COPY**

Form PTO 1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

219507US2S DIV

SERIAL NO.

10/076,284

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Hideo ANDO, et al.

FILING DATE

February 19, 2002

GROUP

2615

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	2000-4421	01/07/00	Japan		X
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY



(Translation)

Mailed: November 2, 2004

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: Japanese Patent Application No. 2002-040198

Examiner's Notice Date: October 27, 2004

Examiner: A. Nomura

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASONS

The inventions recited in the following claims are unpatentable under section 29<sup>bis</sup> of the Patent Law on the grounds that the invention is considered the same as the invention described in the specification and the drawings originally attached to the request of the following application, which was filed before, and disclosed after, the filing date of this application and that the inventor of the present application is not considered to be the inventor of the cited application, and at the time of the filing of this application, the applicant is not considered to be the applicant of the cited application.

REMARKS

Claims: 1-3

Prior Application: 1

Note:

When the present invention is compared with the invention of the prior application (see paragraph [0083]), "VOBS", "Cell", and "the start VOB number in VOBS and the end VOB number in VOBS" respectively correspond to "the video object", "the cell" and "the static image numbers of the playback start and end in the cell". Thus, there is no structural difference between the present invention and the invention of the prior application.

If a new reason for rejection is noticed, a further Official Action will be

COPY

References Cited:

1. Japanese Patent Application No. 10-169491 (Jpn. Pat. Appln. KOKAI  
Publication No. 2000-4421) ✓

## Prior Art Search Report

Searched Field: IPC 7th ed. H04N5/76-5/956  
G11B20/10-20/12, 27/00-27/34

Jpn. Pat. Appln. KOKAI Publication No. 2000-67524

Jpn. Pat. Appln. KOKAI Publication No. 2000-83217

The result of this prior art search does not constitute the reasons for rejection.

CCNY



拒絶理由通知書

特許出願の番号 特願2002-040198  
起案日 平成16年10月27日  
特許庁審査官 野村 章子 2949 5C00  
特許出願人代理人 鈴江 武彦(外 6名) 様  
適用条文 第29条の2

17.1.1

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願の下記の請求項に係る発明は、その出願の日前の特許出願であって、その出願後に公開された下記の特許出願の願書に最初に添付された明細書又は図面に記載された発明と同一であり、しかも、この出願の発明者がその出願前の特許出願に係る上記の発明をした者と同一ではなく、またこの出願の時に於いて、その出願人が上記特許出願の出願人と同一でもないもので、特許法第29条の2の規定により、特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

請求項: 1-3

先願: 1

備考:

本願発明と先願発明(段落【0083】参照)とを対比すると、先願発明の「VOBS」、「Cell」、「VOBS内での開始VOB番号と、VOBS内での終了VOB番号」は、本願発明の「ビデオオブジェクト」、「セル」、「セル内の再生開始と終了の静止画番号」にそれぞれ相当し、本願発明と先願発明とは構成上の差異がない。

-----  
拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

引 用 文 献 等 一 覧

1. 特願平10-169491号(特開2000-4421号)

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先行技術文献調査結果の記録

・調査した分野 IPC第7版

H04N5/76-5/956

CCPY

整理番号:A000200759 発送番号:398622 発送日:平成16年11月 2日 2/E

G 1 1 B 2 0 / 1 0 - 2 0 / 1 2、2 7 / 0 0 - 2 7 / 3 4

・先行技術文献

特開 2 0 0 0 - 6 7 5 2 4 号公報、特開 2 0 0 0 - 8 3 2 1 7 号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

-----  
この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第四部 映像機器 担当：野村章子

TEL：03(3581)1101（内線：3541） FAX：03(3501)0715

CCPY